

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

2013 JUL 25 PM 10:39

CLERK B. West
SO. DIST. OF GA.

LISA T. JACKSON,

Plaintiff,

v.

CASE NO. CV412-139

PAULA DEEN; PAULA DEEN
ENTERPRISES, LLC; THE LADY &
SONS, LLC; THE LADY
ENTERPRISES, INC.; UNCLE
BUBBA'S SEAFOOD AND OYSTER
HOUSE, INC.; and EARL W.
HIERS;

Defendants.

UNCLE BUBBA'S SEAFOOD AND
OYSTER HOUSE, INC. and EARL
W. HIERS,

Counter Claimants,

v.

LISA T. JACKSON,

Counter Defendant.

O R D E R

Before the Court are non-party WXIA-TV's Motion to Intervene and Petition for Access to Filed Discovery Materials (Doc. 227), and non-party the Atlanta Journal Constitution and WSB-TV's Motion to Intervene to Unseal Court Records and Docket Entries and for Access to Filed Deposition Video (Doc. 241). In its motion, WXIA-TV


requests a copy of the video deposition of Defendant Paula Deen. (Doc. 227 at 1-2.) The Atlanta Journal Constitution and WSB-TV ("AJC") seek a copy of the video deposition, along with access to sealed documents and an alleged "secret docket." (Doc. 241 at 1.) The Court **GRANTS** these motions to the extent that they request permission to intervene.

As these entities are no doubt aware, however, the Clerk of Court has returned its copy of the video deposition to counsel for Defendant Deen as custodian under Southern District of Georgia Local Rule 26.4. (Doc. 244.) Because the Court no longer has possession of the video, WXIA-TV's entire motion is **DISMISSED AS MOOT**. That portion of AJC's motion requesting a copy of the video deposition is also **DISMISSED AS MOOT**.

With respect to AJC's request to access an alleged "secret docket," that part of its motion is also **DISMISSED AS MOOT** because this Court has no such "secret docket." As to the sealed docket entries in this case, AJC's motion is **DENIED**. While the public enjoys a well established common law right to judicial records, this right "may be overcome by a showing of good cause, which requires 'balanc[ing] the asserted right of access against the other party's interest in keeping the information confidential.'" Romero v.

Drummond Co., 480 F.3d 1234, 1246 (11th Cir. 2007) (quoting Chi. Tribune Co. v. Bridgestone/Firestone, Inc., 263 F.3d 1304, 1309 (11th Cir. 2001)). In this Court's opinion, the sealed documents present a clear danger to Defendants' Sixth Amendment right to trial by a fair and impartial jury. Therefore, these documents will remain sealed until further order of this Court.

SO ORDERED this 26th day of July 2013.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA